

House Bill 1313

By: Representatives Stephens of the 164th, Benfield of the 85th, Parrish of the 156th, Dollar of the 45th, Harbin of the 118th, and others

A BILL TO BE ENTITLED
AN ACT

Article 2 of Chapter 5 of Title 3 of the Official Code of Georgia Annotated, relating to state license requirements and regulations for manufacture, distribution, and sale, so as to provide for definitions; to provide for craft brewers; to provide for limited exceptions to the three-tier system for craft brewers; to provide for tastings; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 5 of Title 3 of the Official Code of Georgia Annotated, relating to state license requirements and regulations for manufacture, is amended by adding a new Code section to read as follows:

"3-5-36.1

(a) As used in this Code section, the term:

(1) 'Craft brewer' means a brewer of malt beverages that does not produce more than 250,000 barrels of malt beverage per year.

(2) 'Premises of the licensee' means property on which malt beverages are manufactured by a licensed craft brewer or property located contiguous to the property on which malt beverages are manufactured and owned by a licensed craft brewer or by an affiliate of such licensed craft brewer.

(3) 'Premises of a tasting room' means the property on which a tasting room is located, regardless of whether such property is owned by a licensed craft brewer or used by a licensed craft brewer to manufacture malt beverages.

(4) 'Tasting' means an event at which samples of a craft brewer's malt beverages are provided to the public.

(5) 'Tasting room' means an outlet or location used for the promotion of a licensed craft brewer's malt beverages at which samples of such malt beverages are provided to the

public. Samples of a licensed craft brewer's malt beverages in a tasting room may be given complimentary or provided for a fee.

(b) A craft brewer shall be licensed in the same manner as brewers. A limited exception to the provisions of Code Sections 3-5-29 through 3-5-32 providing a three-tier system for the distribution and sale of malt beverages shall exist for craft brewers. A licensed craft brewer shall be permitted to:

(1) Provide food on the premises of the licensee or the premises of a tasting room at no charge. Food may also be provided by and brought to the premises of the licensee or the premises of a tasting room by any person or on behalf of any person to whom such permission has been granted by the licensed brewer;

(2) Serve as part of a tasting or private events other alcoholic beverages produced by other manufacturers which are authorized for retail sale under this title, including wine and malt beverages, provided that such alcoholic beverages are purchased from a licensed wholesaler for consumption on the premises only; and provided, further, that in addition to draft beer manufactured on the premises, each craft brewer licensee shall offer for sale commercially available canned or bottled malt beverages from licensed wholesalers;

(3) To offer free samplings of the beer produced on its premises as part of tours conducted pursuant to Code Section 3-5-38;

(4) To rent a tasting room or other room on the premises of the licensee for entertainment purposes;

(5) To market, promote, and charge for tours conducted pursuant to Code Section 3-5-38; and

(6) To provide to interested parties lists of retailers who sell the craft brewer's products."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.